

## Message Text

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ACTION NEA-16

INFO OCT-01 EUR-25 ISO-00 SS-20 IO-14 NSC-07 CIAE-00

INR-11 NSAE-00 RSC-01 PM-07 DODE-00 OMB-01 CIEP-03

PRS-01 L-03 ACDA-19 SAJ-01 SP-03 EA-11 OPR-02 DRC-01

( ISO ) W

----- 118457

R 251135Z JUL 74

FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 2897

INFO AMEMBASSY ISLAMABAD

AMEMBASSY LONDON

AMCONSUL BOMBAY

AMCONSUL CALCUTTA

AMCONSUL MADRAS

C O N F I D E N T I A L SECTION 1 OF 2 NEW DELHI 9908

BY POUCH: DACCA, KATHMANDU, COLOMBO, KABUL, MOSCOW,  
PEKING

E.O. 11652: GDS

TAGS: PFOR, PINT, IN

SUBJ: FURTHER THOUGHTS ON THE POSSIBILITY OF A GOI-  
SHEIKH ABDULLAH AGREEMENT ON KASHMIR

REF: A. NEW DELHI 9351 AND A-273 (NOTAL)

SUMMARY: TALKS BETWEEN THE EMISSARIES OF SHEIKH ABDULLAH  
AND MRS. GANDHI RESUMED JULY 16 AND CONTINUE. CLEARLY  
THERE ARE IMPORTANT ISSUES OUTSTANDING, AND THERE MAY  
BE CONFLICTING VIEWS WITHIN THE GOI ABOUT THE DESIRABILITY  
OF MAKING CONCESSIONS TO THE SHEIKH. ONE SOURCE CLOSE TO  
THE SHEIKH BELIEVES THAT ANY AGREEMENT WILL COME ABOUT  
OCTOBER. SHEIKH ABDULLAH WOULD PROBABLY HEAD A COALITION  
STATE GOVERNMENT WHICH WOULD INCLUDE THE CONGRESS PARTY.  
TENSIONS WOULD REMAIN BETWEEN REGIONS OF THE STATE  
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AND BETWEEN THE STATE AND THE CENTER, BUT THE GOI WOULD

RETAIN ULTIMATE CONTROL AND KNOWLEDGE OF  
THIS WOULD LIMIT  
THESE TENSIONS. WITHOUT AN AGREEMENT, THINGS WILL CONTINUE  
AS AT PRESENT, ALTHOUGH THE FINALITY OF A BREAKDOWN IN  
THE TALKS MIGHT DRIVE SHEIKH ABDULLAH BACK INTO CONFRONTA-  
TION WITH THE GOI. END SUMMARY.

1. SHEIKH ABDULLAH'S REPRESENTATIVE, MIRZA AFZAL BEG,  
RESUMED NEGOTIATIONS WITH MRS. GANDHI'S EMISSARY, FORMER  
NEHRU UNIVERSITY VICE CHANCELLOR, G. PARTHASARATHY, JULY  
16 IN NEW DELHI. DURING THAT WEEK HE VARIOUSLY TERMED  
THE TALKS AS "DECISIVE", "INCHING FORWARD" AND MAKING  
PROGRESS. HE RETURNED TO KASHMIR JULY 19 TO CONSULT WITH  
SHEIKH ABDULLAH  
AND THEN CAME BACK TO DELHI FOR FURTHER  
DISCUSSIONS ON JULY 24.

2. OPINION ABOUT THE PROSPECTS FOR SUCCESS OF THE NEGO-  
TIATIONS SPANS A BROAD RANGE. EVEN AMONG WELL-CONNECTED  
POLITICIANS AND JOURNALISTS. THIS PROBABLY REFLECTS THE  
DEGREE OF SECRECY MAINTAINED BY BOTH SIDES, PLUS SOME  
WISHFUL THINKING BY INTERESTED PARTIES WHO ARE EITHER FOR  
OR AGAINST AN AGREEMENT.

3. AS WE REPORTED IN THE REFTTEL, SHEIKH ABDULLAH WANTS  
THE GOI TO AGREE IN PRINCIPLE TO A RETURN TO THE SITUATION  
PREVAILING BEFORE HIS ARREST IN 1953, GIVING HIM THE RIGHT  
TO REVIEW LAWS EXTENDED TO THE STATE AFTER THAT DATE,  
EVEN THOUGH THE SHEIKH HAS MADE IT CLEAR HE WILL ACCEPT  
MANY, EVEN MOST, OF THOSE LAWS. HE EVEN TOLD A JOURNALIST  
THAT HE WOULD DEMAND "CONSTITUTIONAL GUARANTEES" TO PREVENT  
IMPOSITION OF THE GOI WILL AGAIN AS OCCURRED IN 1953.

4. SHAMIM AHMED SHAMIM, A MEMBER OF PARLIAMENT FROM  
KASHMIR WHO WAS ELECTED WITH THE SHEIKH'S SUPPORT, TOLD  
EMBOFFS JULY 24 THAT WHILE THE SHEIKH AND THE GOI REMAIN  
APART ON THE SHEIKH'S BASIC DEMAND FOR GOI ACCEPTANCE OF  
THE PRINCIPLE OF A RETURN TO 1953, THEY NOW AT LEAST SEEM  
TO RESPECT EACH OTHER'S PROBLEMS. THIS IS A CHANGE ACCORDING  
TO SHAMIM. BEFORE, BOTH HELD RIGID, LEGALISTIC POSITIONS.  
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NOW, THE SHEIKH ACCEPTS MRS. GANDHI'S NEED FOR  
AN AGREEMENT WHICH SHE CAN SELL TO THE REST OF THE COUNTRY,  
WHILE MRS. GANDHI, ACCORDING TO SHAMIM, RECOGNIZES THAT  
THE SHEIKH NEEDS AN AGREEMENT WHICH HE CAN SELL TO THE  
KASHMIRI MUSLIMS.

5. AS EXAMPLES OF THE OUTSTANDING ISSUES, SHAMIM CITED  
THE SHEIKH'S DESIRE THAT THE STATE AGAIN HAVE A GOVERNOR

WHO WOULD BE CALLED SADAR-I-RIYASAT (CHIEF OF STATE) AND ELECTED BY THE STATE LEGISLATURE. (IN INDIA GOVERNORS ARE APPOINTED BY THE PRESIDENT WITH NO INVOLVEMENT OF THE STATE LEGISLATURE.) THE SHEIKH ALSO OPPOSES THOSE SECTIONS OF THE INDIAN CONSTITUTION GIVING THE GOI POWER TO DECLARE AN EMERGENCY IN THE STATE IN CASE OF INTERNAL DIFFICULTIES. HE DOES NOT WANT THE "FUNDAMENTAL RIGHTS" CLAUSES OF THE INDIAN CONSTITUTION TO APPLY, PREFERRING INSTEAD THAT KASHMIR MAKE PROVISION FOR SUCH RIGHTS IN ITS OWN CONSTITUTION. HE OPPOSES THE EXTENSION OF THE JURISDICTION OF THE INDIAN SUPREME COURT TO KASHMIR.

6. SHAMIM HIMSELF BELIEVES THAT AN AGREEMENT, IF THERE IS TO BE ONE, WILL OCCUR BEFORE THE STATE GOVERNMENT MOVES TO JAMMU IN EARLY NOVEMBER. (KASHMIRI POLITICS ARE GENERALLY IN SUSPENDED ANIMATION DURING THE WINTER.) BUT SHAMIM HIMSELF PLANS TO BE OUT OF THE COUNTRY TRAVELLING DURING SEPTEMBER, AND HE ADMITS HE DOESN'T EXPECT ANYTHING THEN.

7. OTHER OPINIONS RANGE FROM THE OPTIMISTIC TO THE PESSIMISTIC. SOME OF THE LATTER REFLECT HARD-LINE HINDUS WHO SEE NO REASON FOR MRS. GANDHI TO COMPROMISE WITH SHEIKH ABDULLAH UNLESS SHE CAN ALSO GET PAKISTAN ON BOARD IN A FINAL SETTLEMENT. THEY CITE RISKS INHERENT IN RELINQUISHING AUTHORITY IN KASHMIR TO SHEIKH AND HIS SUCCESSORS, WHO MIGHT TURN AGAINST INDIA. OTHER OPPONENTS ARGUE THAT ONCE IN POWER THE SHEIKH WILL EITHER HAVE TO CONFRONT THE GOI OR LOSE INFLUENCE TO SOMEONE LIKE MIRWAIZ FAROOQ, THE PRO-PAKISTANI LEADER OF THE AWAMI ACTION COMMITTEE.

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FM AMEMBASSY NEW DELHI  
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C O N F I D E N T I A L SECTION 2 OF 2 NEW DELHI 9908

8. IF THERE IS AN AGREEMENT, THE SHEIKH WILL INSIST ON BECOMING CHIEF MINISTER, ACCORDING TO SHAMIM AND SEVERAL OTHER OBSERVERS. (THEY DISCOUNT THE IDEA THAT THE SHEIKH WOULD STAY ON THE SIDELINES.) HIS PLEBISCITE FRONT WOULD CHANGE ITS NAME AND ENTER INTO A COALITION WITH THE CONGRESS PARTY. CHIEF MINISTER MIR QUASIM, ACCORDING TO THIS SCENARIO, WOULD COME TO DELHI TO JOIN THE CENTRAL GOVERNMENT AS ONE OF THE MUSLIM CABINET MINISTERS.

9. WHAT WOULD BE THE OUTLOOK FOR STABILITY IN SUCH A SITUATION? THE AWAMI ACTION COMMITTEE WOULD OPPOSE THE AGREEMENT AND WOULD ATTEMPT TO FOMENT RIOTS SRINAGAR.

ITS FOLLOWING AT PRESENT IS LIMITED TO URBAN AREAS IN THE VALLEY, HOWEVER, AND EVEN THERE IT IS NO MATCH FOR THE SHEIKH. THE DISTURBANCES WOULD DIE OUT IN TIME (PARTICULARLY IF THE AGREEMENT IMMEDIATELY PRECEDES WINTER).

10. IN JAMMU, THE JANA SANGH WOULD STIR UP TROUBLE.  
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ITS INFLUENCE IS LIMITED TO THE CASTE HINDUS, WHO CONSTITUTE ONLY ABOUT 40 PER CENT OF THE POPULATION IN JAMMU, AND EVEN AMONG THOSE, IT IS STRONG ONLY IN URBAN AREAS. THE CONGRESS HAS CONSISTENTLY WON A MAJORITY OF THE SEATS FROM THE JAMMU REGION AS A WHOLE. UNDER PRESSURE FROM MRS. GANDHI IT COULD CARRY THE REGION IN SUPPORT OF THE AGREEMENT.

11. THE SHEIKH WOULD PROBABLY INSIST ON NEW ELECTION. (THIS IS ANOTHER STICKING POINT FOR THE NATIONAL GOVERNMENT, SINCE IT IMPLIES THAT THE OLD ELECTIONS WERE NOT FAIR. PERHAPS THERE COULD BE A TEMPORARY ARRANGEMENT UNTIL THE REGULARLY SCHEDULED 1976 ELECTIONS.) ELECTIONS WOULD PROBABLY RESULT IN HIS POLITICAL ORGANIZATION OBTAINING A MAJORITY IN THE VALLEY OF KASHMIR AND THE CONGRESS PARTY ORGANIZATION RETAINING ITS HOLD ON JAMMU. THE TWO COULD PROCEED ONLY IN TANDEM. THE SHEIKH IN ANY

CASE IS UNLIKELY TO REPEAT HIS MISTAKES OF 1953, WHEN HIS DOWNFALL IN PART STEMMED FROM PROBLEMS IN JAMMU.

12. THE GOI DOESN'T SEEM TO EXPECT THAT PAKISTAN WOULD ACTIVELY TRY TO UNSEAT THE SHEIKH. SHAMIM BELIEVES THAT THE MEMORY OF 1953 AND THE FACT THAT THE GOI WILL HAVE THE POWER TO REASSERT ULTIMATE CONTROL REGARDLESS OF WHAT ANY AGREEMENT SAYS WILL PREVENT THE SHEIKH FROM MOVING TOWARD PAKISTAN IN CASE OF DISAGREEMENT WITH THE GOI. OFFICIALS DO MENTION THAT THE GOP MIGHT HAVE TROUBLE WITH AZAD KASHMIR SHOULD THE SHEIKH RETURN TO POWER UNDER AN AGREEMENT PROVIDING KASHMIR WITH GREATER AUTONOMY. THEY POINT OUT THAT WHILE THE SHEIKH HAS TALKED ABOUT REUNITING KASHMIR, THE GOI HAS SAID NOTHING BECAUSE THAT WOULD BE IN VIOLATION OF THE SIMLA AGREEMENT. (EVEN THE SHEIKH LATER SAID AZAD KASHMIR SHOULD BE LIBERATED "THROUGH NEGOTIATIONS," IF POSSIBLE.)

13. SO FAR AS WE CAN SEE, ONLY THE JANA SANGH AMONG THE NATIONAL POLITICAL PARTIES IS LIKELY TO OPPOSE AN AGREEMENT BETWEEN THE SHEIKH AND MRS. GANDHI. MUSLIMS IN GENERAL WILL SUPPORT IT, AND IT SHOULD HELP FURTHER  
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THEIR INTEGRATION IN INDIAN POLITICS.

14. IF THERE IS NO AGREEMENT, THE SITUATION COULD CONTINUE AS AT PRESENT. THE ONLY SANCTION WHICH THE SHEIKH HOLDS IS HIS ABILITY TO TURN AGAINST THE GOI AND THEREBY TO MAKE ITS INTERNATIONAL POSITION ON KASHMIR MORE DIFFICULT. HE WOULD CARRY KASHMIRI MUSLIM OPINION WITH HIM, AND THIS MIGHT INCREASE SECURITY PROBLEMS FOR THE GOI, ALTHOUGH NOT BEYOND A LEVEL WITH WHICH IT COULD COPE.  
KREISBERG

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** NEGOTIATIONS, PERSONNEL APPOINTMENTS, POLITICAL LEADERS, KASHMIR, PROVINCIAL GOVERNMENT  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 25 JUL 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** kelleyw0  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1974NEWDE09908  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D740201-0982  
**From:** NEW DELHI  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1974/newtext/t19740718/aaaaapfl.tel  
**Line Count:** 261  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION NEA  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 5  
**Previous Channel Indicators:**  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** A. NEW DELHI 9351 AND A-273 (NOTAL)  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** kelleyw0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 10 JUN 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <10 JUN 2002 by boyleja>; APPROVED <26 FEB 2003 by kelleyw0>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** FURTHER THOUGHTS ON THE POSSIBILITY OF A GOI- SHEIKH ABDULLAH AGREEMENT ON KASHMIR  
**TAGS:** PFOR, PINT, IN, (GANDHI, INDIRA), (ABDULLAH, SHEIKH)  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005